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The Los Angeles Bar Association BULLETIN

Official Publication of the Los Angeles Bar Association, Los Angeles, California

THE WORK OF THE STATE BAR OF CALIFORNIA

DELEGATION OF AUTHORITY BY LEGISLATIVE BODY

BUDDING BARRISTERS BUSILY BUSTLE

SCOTCH METHOD OF TRAINING LAWYERS

"ARE YOU LISTENIN'?"

REFORMING THE LAW THROUGH LEGISLATION

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The Work of the State Bar of California

How Examinations for Admission to Practice Are Conducted

By Philbrick McCoy, of the Los Angeles Bar

RULE I of the Rules of the Supreme Court regulating the admission to the practice of the law in this state provides that "The Committee of Bar Examiners shall recommend to the Supreme Court for admission to practice law such persons, and *only* such persons, as possess the qualifications and fulfill the requirements for admission to practice law, as provided by section 24 of the State Bar Act and by these rules." (213 Cal. cxlv.) In accordance with this, and the succeeding rules, the committee, in February, 1933, examined some 512 student applicants—that is, those who were not entitled to apply for admission on motion—and has now determined to recommend to the court that 215, or 42 per cent, of those who took the examination and were found to possess the qualifications and fulfill the requirements prescribed by the rule. Looking to the past for a moment, we find that, in February, 1932, there were 522 applicants, of whom but 20 per cent passed, while in August, 1932, more than half of the 704 applicants were successful.

Qualifications of Applicants

With the thought in mind that many members of the Bar are not familiar with the work of the Committee, it is our purpose here to consider the manner in which these examinations are conducted in order that they may know how the Committee, in the discharge of its duty, as stated in the Rule of the Court, reached the conclusions above stated, with reference to the qualifications of the applicants.

Consider, then, that there is a realizable ideal toward which the members of the Committee of Bar Examiners in this state have been working, with the co-operation of the Supreme Court, whose duty it finally is, to admit those who are found to be qualified, the ideal of a thoroughly competent Bar. In seeking to attain this ideal, the committee has had the invaluable assistance of its research secretary, James E. Brenner, Esquire, who for more than two years has been engaged in ascertaining the methods used by other examining bodies throughout the country, such as bar examiners, medical boards and civil service commissions, to determine, from their experience the soundest and fairest methods of examining large groups, and utilizing the best of what is used elsewhere in improving the system in use here. In recent years, too, Mr. Brenner has been responsible for most of the statistical data with reference to admissions which appear from year to year in the Proceedings of the Annual Meetings of the State Bar. These statistics, which show in detail the educational background of the students who take each examination, and the numbers and successes of "repeaters" taking two or more examinations, go far to explain the reasons for the results above stated.*

Preparation of Questions

Of great importance, of course, is the actual preparation and selection of the questions which the student is required to answer. In the first instance, these questions are now prepared, over a period of some five months before each examination, by the secretary of the Committee of Bar Examiners, who is not to be confused with the research secretary. He is required to draft, for the consideration of the committee, at least twice as many questions relating to each subject as will finally appear in the examination book; from these questions the committee later make its choice. He is also required to prepare an "analysis" of each question, not so much to show the "right" or "wrong" answer, as to show the points involved in the question, and the manner in which the courts have disposed of them. These analyses are not only for the guidance of the committee in selecting the questions, but are later furnished to the readers, as a partial guide in their equally important work of marking. As the questions and analyses are prepared,

*Particular attention is called to the statistical analysis of the results of the August, 1932, examination, showing the successes and failures of the applicants as reflected in the legal education received at the various law schools of the country.

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A New Courthouse

EVERY person who has occasion to conduct matters in the courts of Los Angeles County is aware of the great inconvenience brought about by the scattered locations of the courts, haphazardly housed in various widely separated buildings. Particularly do the attorneys and the officers of the courts realize how much time is wasted in going from building to building, and they are acutely aware of the hampering of court functions and waste of the taxpayers' money that results. The presiding judge is making economies in administration of the courts, but the officers of the courts are unable to effect the far greater economies that closely grouped court rooms would make possible. All of the present court rooms, with few exceptions, are improperly lighted and ventilated, further needlessly taxing the efficient conduct of trials and the energies of those engaged in them. Why should such an important branch of our government as the courts operate under conditions which private enterprises would disdain?

The Board of Trustees of the Los Angeles County Bar Association has recognized that the Law Library, which it has been accumulating in Los Angeles for more than three decades, is not adequately housed. The Library is the largest law library west of Chicago. While the books ordinarily used for reference are located on a portion of one floor in the Hall of Records, many of the records that are in demand, including the transcripts and briefs on appeal of cases decided by the Supreme Court and the Courts of Appeal, are scattered throughout other portions of that building. The Library should be properly housed in suitable quarters in close proximity to the court rooms. With this in view, the Board of Trustees of the Los Angeles County Bar Association sponsored the adoption of Assembly Bill 2270, introduced by Assemblyman Evans, which has just been adopted by the Legislature. This act authorizes the Board of Trustees to use the surplus funds of the Bar Association, **representing the savings of nearly thirty-five years,** for constructing a library building, or for obtaining headquarters for the library property in a public building to be erected by the County.

It is not too much to hope that the Bar Association, having through its efforts brought about the enactment of Assembly Bill 2270, can bring about the erection of a new Courthouse wherein the courts of Los Angeles County and the Law Library will be fittingly incorporated.

copies are sent to each of the seven members of the committee for their consideration, and it is only fair to say, in answer to much unfounded criticism in the past, that the committee members devote more of their time than is generally realized to this particular phase of their work. As time goes on, the committeemen return the questions which they have received, with their views indicated, possibly necessitating the rewriting of some of the questions, or even the writing of entirely new ones, until, at a meeting usually held just before the examination, final selections are made, and the books are ready for the student.

Mechanics of Examination

It would serve no useful purpose to discuss the many problems which must be met in giving an examination simultaneously to groups ranging from 250 to 350 students, each, in Los Angeles and San Francisco, in a period of three days. Suffice it to say that, at these examinations, which are under the direct supervision in each place of a member of the committee, and of the secretary and assistant secretaries, with the aid of proctors, each student is known wholly by a number which is assigned to him but a few days before he takes the examination. When these numbers are assigned, and before the date fixed for the examination, a carefully prepared check-list showing the name and number of each applicant is sealed in an envelope, which is not opened until all grades are in, and then only in the presence of the committee itself.

Originality of Work

As the examination progresses, each student, as he completes one of the eighteen or nineteen books which contain his answers, turns that book in and all of the books used at a given session must be turned in before work on the next book is started. Every precaution is taken throughout the examination to assure the originality of each student's work, and the substantial lack of difficulty which the proctors have in enforcing these precautions reflects most favorably upon the moral character of those who take the examinations.

When the examination is concluded, every book is renumbered, and a second check-list made and sealed, this time showing only the original and the new number of the applicant. But two persons know the significance of these new numbers, the executive secretary, and one other who verifies his work, and it must be obvious that no reader could possibly learn of the new number so given to any student when it is considered that, in all, at every examination some 500 sets and more, each containing 19 books, or a total of more than 9,500 books are renumbered in a period of two days immediately after the examination; it is not reasonable to suppose that those who do this work could possibly remember any of the related numbers, and the only other manner in which the readers could ascertain the names of those whose books they have, would require some act of dishonesty on the part of those who do this work for the committee. No such charge has been made.

Analyses of Papers

It is only after these books have been so renumbered that the readers are finally selected, but even then they do not start on the grading of the papers. They are first required to make their own analyses of the questions assigned to them, to be followed by a conference with the members of the committee and with the secretary who prepared the questions, in order that they may come to a full understanding of the problems involved, upon the basis of the analyses already prepared for the committee and those prepared by them. Nor can it fairly be said that a student fails because a particular reader is severe in his grading, and that another one passes because his books were graded by a liberal marker; for each reader reads all of the answers to the particular questions assigned to him—usually no more than three in number,—and the quality of his marking is reflected in the books of every applicant.

The passing mark, which is fixed by rule of court, is 70% of the total. It is inevitable that some students will receive marks ranging from 65% to 69%, just short of enough for passing. To obviate any element of unfairness in such cases, and to assure the student that he has been given the benefit of every reasonable doubt, papers of all students in this group are read once more, but this time the

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Delegation of Authority by Legislative Body

Is Ordinance Void Because Legislative Power Delegated to Police Commission?

By Ivan Kelso, of the Los Angeles Bar

IN A CASE recently tried in the Superior Court of this county, in which the defendant was charged with manslaughter, proof of unlawful conduct offered by the District Attorney was that the defendant had driven his car into a boulevard in Burbank, where a "stop" signal had been erected, without first stopping as required by law.

The Court instructed the jury on this point as follows:

"Any evidence that has been introduced in this case relative to stop signs at the intersection of Victory boulevard and Alameda street was admitted for the one and only purpose of showing the physical situation at said point and was not admitted for the purpose of indicating that the defendant was required by law to stop his car before he entered the intersection, **and you are instructed that said stop signs were not lawfully installed or placed at said intersection and that said defendant was not, by reason of said stop signs, required to stop his car before entering said intersection but that he had a right to enter and cross said intersection in a lawful manner and at a lawful rate of speed without bringing his car to a stop before entering such intersection.**"

The specific objection offered to the Burbank ordinance is that the City Council has delegated to the Board of Police Commissioners the authority to say where boulevard stop signs shall be erected, thus determining what streets shall be boulevard stop intersections. This the court held to be a legislative function which could not be delegated to any administrative board or commission.

Principles Involved

Before discussing this specific objection let us consider the general principle involved. We find in 6 R. C. L. 144 that:

"One of the fundamental principles of the American constitutional system is that the governmental powers are divided among the three departments of government, the legislative, executive and judicial, and that each of these is separate from the others."

This principle finds expression in a multitude of opinions in practically all jurisdictions. Thus, in *Hampton, Jr. & Co. v. U. S.* 276, U. S. 394; 72 L. Ed. 624, Chief Justice Taft said:

"Our Federal Constitution and State Constitutions of this country divide the governmental power into three branches. The first is the legislative, the second is the executive, and the third is the judicial, and the rule is that in the actual administration of the government Congress or the Legislature should exercise the legislative power, the President or the state executive, the governor, the executive power, and the courts of the judiciary the judicial power. . . ."

In re McLain, 190 Cal. 376:

"It is settled, of course, beyond controversy, that the power conferred upon the Legislature to make laws cannot be delegated by it to any subordinate body. If the power to be exercised by the Highway Commission under the provisions of the above section amounts to a law-making power, as contended for by the petitioner, it follows that such provision must be unconstitutional. (Beatty, C. J., in Ford v. Harbor Commrs., 81 Cal. 19, 37 (22 Pac. 278).) The Legislature cannot delegate its power to make laws. (Harbor Commrs. v. Redwood Co., 88 Cal. 491, 494 (22 Am, St. Rep. 321, 26 Pac. 375); Locke's Appeal, 72 Pa. St. 491 (13 Am. Rep. 716); Field v. Clark, 143 U. S. 649, 694 (36 L. Ed. 294, 12 Sup. Ct. Rep. 495; see, also, Rose's U. S. Notes).)"

Constitutional Provisions

To determine the rule in California, we must examine our Constitution. In it we find in Sec. 1, Article III that:

"The powers of the government of the state of California shall be divided into three separate departments—the legislative, executive, and judicial, and no person charged with the exercise of powers properly belonging to one of these departments shall exercise any functions appertaining to either of the others except as in this Constitution expressly directed or permitted."

While the Federal Constitution does not have an identical provision with that found in our Constitution, language found in the Federal Constitution is appropriate to effectually group the activities of government into three divisions of legislative, executive, and judicial. Therefore, some, and in fact much help is found in the decisions of our Federal courts. There is a vast number of such decisions and I do not pretend to have examined more than a small portion of them, but I am sure I have found authority ample to justify and uphold the conclusions which I have reached.

Were we considering a subject which could be called a "municipal affair" we

would be bound by the provisions of the charter of the City of Burbank on this subject. However, since the Supreme Court of this state has decided that the regulation of vehicular traffic is not a municipal affair, but one of state-wide concern, our conclusions must be controlled by the interpretation of this constitutional provision. (*Atlas v. City of Burbank*, 202 Cal. 660.)

Applying the Rule

No difficulty is found in discovering the rule; the trouble comes in appyling it. The rule is that the power to legislate may not be delegated, and yet there has been delegated to various boards and commissions authority to do a multitude of things, the doing of which is or is not a legislative function, depending upon the precise language used in delegating the power. It is said in *Interstate Commerce Commission v. Goodrich Transit Company*, 232 U. S. 562, 56 L. Ed. 729:

"The maxim that power conferred upon the Legislature to make laws cannot be delegated to any other authority does not preclude the Legislature from delegating any power not legislative which it may itself rightfully exercise."

Our Supreme Court says the same thing in *People v. Monterey Fish Products Company*, 195 Cal. 548:

"The Legislature may without violating any rule or principle of the Constitution, confer upon an administrative board or officer a large measure of discretion, provided the exercise thereof is guided and controlled by rules prescribed therefor."

Permits

We find boards and commissions given power to grant or withhold or revoke permits or licenses for the practice of professions, such as law, medicine, architecture, engineering, to engage in certain businesses or occupations such as banking, insurance, employment agencies, barbering, and a thousand and one different activities.

We find that not only may the power to use discretion in giving or withholding or revoking permits be delegated, but the power to make rules and regulations concerning these things may be delegated. And this has been done in a host of statutes and approved in innumerable decisions.

Not only is such authority delegated, but the Legislature may provide that the violation of such rules and regulations formulated by such boards or commissions be a public offense, and impose a penalty for their disregard.

Our Supreme Court said on this point, *In re Potter*, 164 Cal. 735:

". . . no doubt, of course, can be entertained of the legislative power to delegate to proper authority the making of suitable rules and regulations for the conduct and transaction of any branch of the business of the state, and for the same legislative power to declare a violation of those rules a penal offense." Citing U. S. v. Moody, 164 Fed. 269; U. S. v. Grimaud, 220 U. S. 506.

And in *People v. Kuder*, 93 Cal. App. 42, our Appellate Court said, at page 54:

"That the (corporation) commissioner exercises certain functions of a quasi-judicial character is true. That the Legislature had power to delegate to proper authority the making of suitable rules and regulations for the conduct and transaction of any branch of the business of the state' and to 'declare a violation of those rules a penal offense' there can be no doubt. (In re Potter, 164 Cal. 735.) Such delegation does not, however, as already pointed out, authorize a commissioner to declare that any particular conduct constitutes a public offense, or to impose a penalty for a violation of a rule, regulation or law. It does no more than vest in him the power to exercise such necessary judgment and discretion as shall be incidental to the enforcement of laws which prescribe his other duties, and without which he would be helpless."

There are numerous decisions upholding this proposition.

Suspension of Law

Not only may power be delegated to exercise such discretion in the issuance or withholding or revoking of permits, and in the formulating of rules and regulations with respect to the conduct of many business and social and other activities, but if carefully done, the power to suspend the operation of a public law may be delegated.

May Be Delegated.

It is obvious, therefore, that much power of a legislative nature may be delegated to others. In fact, almost anything the Legislature may do, it may pass on to someone else, so long as this is done by appropriate language and devices.

Definition of Public Offenses

When we come to the field of criminal law we are told in 7 Cal. Jur. at page 842, that

"Nothing is better settled than that the Legislature has no authority to delegate its power to define public offenses." 7 Cal. Jur. 842; Ex parte Daniels, 183 Cal. 636.

"It cannot, for example, delegate its power to an officer or board." Ex parte McNulty, 77 Cal. 166.

"The Legislature has no power to delegate to an administrative board or officer its exclusive power of determining what acts or omissions on the part of an individual are unlawful." Ex parte Peppers, 189 Cal. 682.

Yet, in all the statutes referred to above in which the power to determine facts was delegated, penal provisions are provided, and this is true of the statutes which authorize boards and commissions to adopt rules and regulations and issue or withhold or revoke permits. There seems to be no difficulty about this.

It is true that certain California cases are frequently cited as authority for the proposition that power to declare certain acts or omissions to be public offenses may not be delegated. *Ex parte Cox*, 63 Cal. 21, is such a case, but this case merely holds that

"The Legislature had not authority to confer upon the officer or board the power of declaring what acts should constitute a misdemeanor."

So, we find if the law itself says what may or may not be done, and provides the penalty, there is no delegation of legislative authority, and this is true even though the particular acts committed by the defendant are not even mentioned in the legislative enactment. This is well illustrated in the case of the *U. S. v. Grimaud*, 220 U. S. 506, 55 L. Ed. 563.

The Burbank "Ordinance."

The City of Burbank adopted a traffic ordinance, being substantially what is called the Uniform Traffic Ordinance for California Cities, Section 19 of which provides that

"Every operator of a vehicle or street car traveling any boulevard stop intersection or boulevard stop street shall bring such vehicle or street car to a full stop at the place where such street meets the prolongation of the nearest property line of such boulevard, subject, however, to the direction of any stop and go signal, or police or fire officer at such intersection, and it shall be unlawful for any operator of any vehicle or street car traveling at or through any boulevard stop intersection or boulevard stop street not to bring such vehicle or street car to a full stop. . . . ."

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Budding Barristers Busily Bustle

By George Keefer, of the Los Angeles Bar

THOSE assiduous twigs of the law, The Junior Barristers of the Los Angeles Bar Association, are shooting forth leaves and blossoms with such alacrity that a full fruition is gratifyingly imminent. Under capable and progressive leadership the organization has extended its activities into many lines of endeavor.

Benefactor Bestows Best-Brief Bonanza

A committee captained by Wm. Howard Nicholas entered into the silences and emerged with an inspired scheme for staging an Annual Legal Article Competition. Being assured of non-responsibility for reading any of the entries, an undisclosed philanthropist subscribed $100.00 to be divided in cash prizes for the winners of the contest which will be held about July 4th in conjunction with the seasonal pyrotechnics. Awards are to be based upon general excellence, originality, and authoritativeness, and winning articles will be published herein. A complete set of regulations will be available in the near future.

Boost Beardless Bar Bodies

Grant Cooper's committee on Law School Contacts reports that two local universities are now actively co-operating with the Junior Barristers. University of Southern California Law School, although having had a model bar association for four years, is appreciative of the assistance rendered by the committee, and voices its thanks through Dean Wm. Green Hale and Student Body President Wallace Trau to Paul Palmer, as S. C. representative. At Southwestern University Bob Wheeler has just finished helping Dean Rollin McNitt in organizing an association patterned after that of the Los Angeles Bar. Student Body President Harold Nash has called a meeting for May 26th at which time addresses will be delivered by Guy Richards Crump, President of the State Bar; Lawrence Larrabee, President of the L. A. Bar Association, and Jack W. Hardy, Chairman of the Junior Barristers.

Build Branches Beyond Bailiwick

Adhering to their original policy of expansion the Junior Barristers are carrying their spirit and efficiency into other localities. Several communities adjacent to Los Angeles have requested and received aid in forming similar organizations, until it now appears that the idea has passed the stage where it might be called a movement and has become a trend.

Bencher Board Benefited by Brethren

During the past month the following Junior Barristers have served the California State Bar Association in its routine work by assisting with the onerous duties of the Grievance Committee: Jack Hardy, Jerold Weil, Frank S. Balthis, Jr., W. I. Gilbert, Jr., Lowell Matthay, and Francis Tappaan. This aid has been generously given and highly appreciated by the Bar officials.

Bolster Bonhomie Between Boys

A gracious gesture of good fellowship in the form of a congratulatory letter was extended by Chairman Jack Hardy to those successful candidates for admission to the State Bar who will, upon their installation, become eligible to membership in the Junior Barristers. It is hoped that all male members of the L. A. Bar who have been admitted to practice by examination in California within the last seven years will affiliate at once in order to receive the maximum benefit.

Blazon Big Blowout By-and-By

Phil Davis, Entertainment Chairman, announces June 16th as the date of the next super-supper, and upon information and belief alleges that the program will be little short of stupendous. Frank Balthis, in charge of selecting food and a place to eat it, has already prepared a menu, not the food, of delectable viands and has chosen the Bel-Air Country Club as the most pleasant setting.

Beset Barrancas Bombarding Bogie

At 2 P. M., June 16th, the Third Annual Golf Tournament will tee off under the eagle eye of Bill Raines in order to permit the juristic par annihilators to work up an appetite. For those who prefer not to stray from the courts, a tennis round-robin is scheduled, while in the club house the more sedentary scholars may ping a pong or fling a gambit at chess.

Bombasts Bandy Bromidic Balderdash

During the evening repast the learned assemblage will be regaled by Arch Tuthill and his troupe of trained performers whose feats of skill and daring will serve to open the eyes of all present so wide that no one will be able to sleep through the speeches droned by the inevitable after-dinner-speakers who are to be handpicked by Tom Cunningham. Chief Mark Mattson has charge of reservations.

Balder Brothers Behind Bantlings

Since the Junior Barristers organization is subsidiary to the Los Angeles Bar Association, and inasmuch as one cannot tell by looking at a young lawyer which way he will jump, three sponsors have been appointed by the powers that be. Ray Haight, Earl Daniels, and Hubert (Kingfish) Morrow are the unfortunate attorneys whose mission in life has become that of keeping an eye on Junior. It is confidently expected that with such a backing and with the record of progress made in the past few months, the Junior Barristers will go far in organizing the profession and promoting good will among its members.

Scotch Method of Training Lawyers

Five Years' Apprenticeship in Law Office Required. Rigid "General Knowledge" Examinations

The subject of law apprenticeships for law students has been discussed recently in American legal publications as a means of bringing into the profession better qualified young men and women. In this connection, the BULLETIN prints this article, written by a Los Angeles business man, former Scotch lawyer, for the purpose of showing the thoroughness of the training required of those seeking to enter practice of law in Scotland. The "Indenture" entered into by the student and his father, with the law firm to which the student was apprenticed, is a legal document of unusual form and interest to lawyers.

By William Campbell Learmont

FIFTY YEARS AGO in Scotland, and presumably today, one of the requirements for qualifying as a Law Agent was the serving of a five-years' apprenticeship in a lawyer's office. Regular agreement, or indenture as they called it, had to be entered into with members of the firm.

Before beginning this apprenticeship a general knowledge examination had to be passed as a guarantee that the applicant had a good groundwork of education. During the apprenticeship period the apprentice had the privilege of attending the necessary University law classes.

Preparatory to the final law examinations entitling him to practice as a Law Agent, it was necessary that he should have obtained a University B. A. Degree, or have passed, in lieu thereof, an exhaustive general knowledge examination. This was the Scotch method of trying to insure that the legal profession would be composed of men of first-class education.

In England and Scotland, as is generally known, the legal profession is divided into two parts, in Scotland Solicitors and Advocates; in England, Solicitors and Barristers.

In Edinburgh, Scotland, is located the Supreme Court of that country. Most of the Law Agents belong to one or the other of two legal associations, one called "Solicitors to the Supreme Courts" and the other "Writers to His Majesty's Signet."

Scotch Advocates

The Solicitors handle practically all the legal work and branches of business outside of litigation, the Advocates handle the presentation of cases before the Judges and Superior Courts, they are the men who do the pleading and speech making which is the most attractive part of legal practice. The legal profession in England operate in the same way the Barristers, corresponding to the Scotch Advocates, being the high-toned part of the profession who command public attention.

The form of document by which I was apprenticed to a well-known firm of Law Agents and Conveyancers, of Edinburgh, in 1882, will doubtless be interesting to American lawyers. It illustrates the extreme care exercised by Scotch lawyers in drawing even this simple agreement, and shows, with great particularity, the duties and obligations of the apprentice to his employers.

An Unique Document

The "Indenture" reads as follows:

"At Edinburgh the third day of May, Eighteen Hundred and Eighty-two years, the deed hereinafter engrossed was presented for registration in the Sheriff Court Books of Mid Lothian for preservation and execution and is registered in the said Books as follows:

"It is contracted, agreed and ended between the firm of J. & J. Ross, Law Agents and Conveyancers, Edinburgh, on the first part, and William Campbell Learmont, son of and residing with James Richardson Learmont, Letter Sorter residing at number thirteen Caledonian Road Edinburgh with consent of the said James Richardson Learmont as Cautioner, Surety and taking burden on him, for the said William Campbell Learmont in manner herein set forth of the second part:

"That is to say the said William Campbell Learmont with consent of the said James Richardson Learmont, and they jointly and severally Bind and Oblige themselves that the said William Campbell Learmont shall serve the said firm of J. & J. Ross, and

John Ross Solicitor Supreme Courts and John Ross Junior Writer to the Signet the Individual partners thereof, and the survivor of them solely, in their or his office and employment of Law Agents and Conveyancers and in other business usual in such or similar offices, and that for the space of five full and complete years from and after the second day of January, Eighteen hundred and eighty two years which notwithstanding the date hereof is held to be the commencement of this Indenture. During which time the said Richardson Learmont hereby bind and oblige themselves jointly and severally that the said William Campbell Learmont shall save the said firm of J. & J. Ross and the said John Ross and John Ross Junior or the survivor in their or his employment for said honestly, faithfully and diligently and that he shall at no time absent himself from the said employment without leave first asked and obtained and that if he shall do in the contrary he shall after the expiration of the term herein specified serve two days for each days absence as aforesaid: and that he shall conceal and in no ways reveal the secrets of his masters business or the business of their clients or employers, and that he shall do no hurt or damage to his said masters or either of them nor willingly suffer it to be done by others, but shall prevent it to the utmost of his power and inform his masters thereof and shall behalf himself decently, civilly and discreetly during his apprenticeship.

"For which causes and on the other part the said J. & J. Ross and the said John Ross and John Ross Junior bind and oblige themselves and the survivor of them to teach and instruct or cause to be taught and instructed the said William Campbell Learmont their or his Apprentice, in all the parts of their office and employment and to conceal no part thereof from him, and further to pay to the said William Campbell Learmont the following sums for the periods and at the terms following videlicet:

"For the first year of his apprenticeship the sum of fifteen pounds Sterling. For the second year Twenty pounds Sterling. For the third year twenty five pounds Sterling. For the fourth year thirty five pounds Sterling and for the fifth year forty five pounds Sterling.

"Each of the said annual sums to be allocated over the year to which it effeirs into twelve equal portions and a twelfth part thereof to be paid to the said William Campbell Learmont at the expiry of each month from the said second day of January Eighteen hundred and eighty two years. Declaring however that in the event of the said James Richardson Learmont permanently leaving Edinburgh during the currency hereof it shall be in the option of the said William Campbell Learmont should he desire to accompany his said father, to have this Indenture discharged or transferred for the remainder of said

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"Are You Listenin'"

To the American Bar Association Sunday Broadcasts?

FOR A NUMBER OF WEEKS radio programs, sponsored by the American Bar Association, have been released in a nation-wide hook-up, by the Columbia Broadcasting System. Locally, these programs have come through the courtesy of KHJ. Obviously, THE BULLETIN cannot reprint all of the series of splendid addresses delivered by the leaders of the American Bar to date, and those that will come later. Excerpts from some of them however, should be printed because the subjects are of vital interest to every lawyer and bear repetition. Copies of the entire series may be had by writing to the University of Chicago Press, Chicago.

Question and Answer Period

A part of the series of fifteen programs is the question and answer period following each address. This is conducted by John Kirkland Clark, chairman, Section of Legal Education and Admissions to the Bar of the American Bar Association. In these periods Mr. Clark answers questions sent in from listeners in all parts of the country, on a variety of subjects, bearing upon the subjects of the lawyer's proper place in the life of the community, the administration of justice, education for the law, admission to the bar, law reform and similar topics. No questions involving points of law are answered.

Public Opinion About Lawyers

Following the radio talk of Samuel Seabury recently, the following discussion occurred:

ANNOUNCER: Mr. Clark, Judge Seabury has just been talking about the lawyer's influence on public opinion. I have a question which puts the shoe on the other foot—"What in your judgment is the public opinion generally held about lawyers, and why do they hold such an opinion?"

MR. CLARK: That's a hard question for a lawyer to tackle. Many of us, of course, get widespread criticism of the profession as a whole, and find unfavorable criticisms about lawyers in our newspapers, magazines and books. I am afraid it must be admitted that a large part of the general public does not feel that lawyers in general are the high-minded, public-spirited, intelligent, conscientious servants of justice which we would like to feel we are.

ANNOUNCER: We have a questioner in Memphis, Tennessee, who inquires, "Do the lawyers of the country really know the growing dislike for their profession among the common people of the country?" What do you think is the reason for that feeling, Mr. Clark?

MR. CLARK: One reason for this, I believe, is that when a lawyer renders good service to a client, when he advises him in a manner that keeps him out of court, when he draws up a contract which provides for everything that may arise, the public never hears of it. On the other hand, when a lawyer is accused of improper acts, or when a business concern which he has been advising goes on the rocks, leaving its creditors high and dry, such news makes the front page. To use the trite illustration—when a dog bites a man, it isn't news, but if a man bit a dog, it would be.

Moreover, the accusations often get great display, while the ultimate decision that the lawyer was correct in his course receives little comment. I had an illustration of this a couple of years ago, when a proceeding was brought, while I was working with Judge Seabury, to compel me to deliver up certain papers which I had been charged with the responsibility of keeping. The filing of the proceeding received headlines, with photographs. When the intermediate court of appeal and the highest court of the state unanimously adjudicated that my course was right and proper, the decision was not news, and the newspapers either ignored it, or barely mentioned it.

ANNOUNCER: But don't you think there must be some foundation for the complaints that are made about lawyers?

MR. CLARK: Yes, unfortunately, I believe there is. There are flaws—many of them—in the administration of justice, and it must be confessed that a great many members of the bar, probably a majority of them, are not joining with the group which is making earnest efforts to improve conditions. *We hope that the appeal made in these radio programs will stimulate the interest of those members of the bar who, thus far, have not joined with their brother members in such organizations as our American Bar Association, the State Bar Association, and the local groups of lawyers who are engaged in efforts to improve conditions. Only last month, the Bar Association of this state, of which Judge Seabury is the president, appealed to the five-sixths of the members of the bar of this state to co-operate with the mere one-sixth which is carrying on the work of the association.*

On the other hand, it is true today that more lawyers than ever before are banded together and are working effectively in organizations which are engaged in diligent efforts to bring about the needed betterment of conditions.

Correcting Abuses

ANNOUNCER: Well, I have another question right along that line, Mr. Clark: "Aren't there a lot of lawyers who are guilty of wrong-doing, and who are permitted to go along, without punishment, even after their misdeeds are known?"

MR. CLARK: This begins to sound like a general attack on lawyers! Yet that question is certainly one which is entitled to an answer. As a matter of fact, there is no profession, the members of which work more diligently to see to it that unworthy members are properly dealt with. Here in the City of New York, on Manhattan Island, the two great organizations of lawyers have committees on discipline, or on grievances, composed of members of the bar who devote many thousand dollars' worth of their time, without pay, investigating every complaint which is brought to their attention and maintaining organizations costing tens of thousands of dollars a year, for the purpose of seeing whether there has been any wrong-doing, and, if there has, that the wrong-doing shall be punished. Other bar associations all over the country have similar committees.

Taking into consideration the fact that there are in New York state approximately 30,000 lawyers, and in the country at large about 160,000, the proportion of those who are found guilty of unprofessional conduct is amazingly small. Another thing which occurs to me is this: There is a lot of criticism of lawyers because they seem to be doing things on behalf of clients that don't appear to be in accord with public welfare and the law.

There are cases of this, where lawyers, in their counsel to their clients, may give advice which brings about actions by the clients which are subsequently found to be illegal. But no one knows how many times lawyers are called upon to warn clients *not* to do things which those clients want to do—because they are not only illegal, but immoral. You would be surprised to know how many times the client who thinks he is a high-minded business man comes in with a proposition which he wants his lawyer to work out for him, and gets terribly sore because the lawyer tells him that it's not only against the law, but that it is bad business morals as well.

Those are the things that the general public doesn't hear about, and if you put them in the balance to offset those comparatively rare cases where a lawyer advises his client to do something which was later found to be improper—the picture then would not be so unfavorable.

ANNOUNCER: The legal profession has a definite code of ethics, hasn't it, Mr. Clark?

MR. CLARK: Yes, it has. Moreover, the code of ethics which governs the conduct of a lawyer is a code much more stringent than that which governs ordinary business, for example. Many a member of the bar has been subjected to discipline for things which in a business man are not only free from criticism, but are even commended—like advertising, for instance—which a lawyer is forbidden to do, but which is the basis of many a prosperous business. The whole field of direct salesmanship—the life of the average business—is barred to the legal profession, who are forbidden to engage in such solicitation.

Then, too, lawyers as a group do not have the power to impose discipline, but have to go to court about it, and it is a cumbersome method of dealing with such

a situation. My own judgment is that while we have more lawyers who are not living up to the highest standards of the profession than we would like to have, the average member of the bar is a pretty good citizen, and bears his full share—and, I hope, more than his full share—of his responsibility in the community.

College Training

ANNOUNCER: Mr. Clark, at the last question and answer period you were answering a question as to why two years of college training are now called for before law school work is started. Isn't that hard on the boy or girl who can't go to college?

MR. CLARK: At the conclusion of the last question and answer period, I had stated that most of our leading lawyers and educators feel strongly that, in addition to the mental training acquired during two years of college, the student likewise gains in character-formation. It is, of course, almost impossible to figure out what factors contribute to the formation of a good character.

The requirement of attendance at a college no doubt does present a difficulty for the prospective lawyer who does not feel financially able to go to college. A generation ago that situation presented a real problem, and in the present economic crisis, too, it is a hardship to many. Almost everywhere, however, the requirements for admission to the bar are so framed that the boy who cannot take two years to go to college can acquire the training himself.

Thousands of boys and girls today in our free collegiate institutions and in other colleges where self-help is made easily available are able to get a college education at a minimum of cost. Many a boy who has been confronted with the death or the financial embarrassment of his father gets jobs representing laundries, waiting on table, tending furnaces, selling books and magazines—making possible the payment of his college and law school expenses. Only about a week ago the president of one of our great universities announced that there were 1,200 students in the college who were working their way through, wholly or in part. A great majority of our night law school students are gainfully employed while taking their law school course. Therefore, today almost every ambitious youth who has the qualities that we want in our lawyers can get the necessary education.

THE WORK OF STATE BAR OF CALIFORNIA

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reading is done by a group of three different readers, two of whom must agree on the result then reached, before the student's final grade is entered.

When all of the grades have been so determined, and the results entered on charts prepared by the committee, the check lists above referred to are finally opened by the committee itself, and the names of the successful applicants ascertained.

Human Element Eliminated

While perhaps to some these details may afford but dry reading, it must be evident to those who consider the matter fairly that, so far as is possible, every step has been taken by the committee and by the court to eliminate from the system used in giving the examination, what may be termed, for want of a better phrase, the human element. No class of students, as a whole, can be expected to pass the examination; and it is equally true that some pass who perhaps are not fully qualified, while others may fail who are better qualified; this, however, is a result beyond the control of the committee.

No system can be perfect. It is certain, however, that much progress has been made in this state in the conduct of the examinations for admission to the Bar. It is hoped that what has been said here will go far to bring about an understanding by the Bar as a whole, and those who seek admission that, every means which human ingenuity can devise has been used by the committee to remove every fair criticism which could be aimed at the manner in which these most important examinations are conducted.

Reforming the Law Through Legislation

Address by Henry W. Toll in the Law Series Sponsored by the National Advisory Council on Radio in Education

NOWADAYS WE ARE TALKING about dictators, but in the United States of course we already have forty-nine dictators: Congress and the forty-eight legislatures. Between them, they have the power to tell every man, woman, child, puppy dog, and corporation in the United States exactly what to do—and what not to do.

There is no limit to the power of these forty-nine dictators, except the state and federal constitutions. Were it not for constitutional limitations, our legislatures would have tyrannical powers. There was a time when the legislatures left many questions undecided—and these questions the courts then decided piecemeal, as they happened to arise in law suits. These decisions by the courts we call the common law, and—if you will pardon the pun—they used to be much more common than they are now. For as our life is becoming increasingly complex, the legislatures are deciding more and more questions. We have now come to a point where most of our law is made by our legislatures—and our courts have little to do except to carry out legislative decisions.

I am not belittling the importance of the courts. When the courts of any nation deteriorate, justice and safety crumble. I am simply saying that the function of the courts is less and less to make law. Today the legislatures make the law; and for the most part the courts merely enforce what the legislatures decree.

Importance of Legislatures

And the importance of the legislatures is even greater than I have just indicated, because they not only make the laws which the courts enforce, but they also make the courts. For legislatures largely determine the organization, the practices, and therefore the efficiency of the courts themselves. So if the legislatures don't do their work well, we have defective laws administered by defective courts. If we want to improve the law, the intelligent way to begin is by improving the legislatures.

By some name or other our original states existed before the United States was ever thought of. And today each of our forty-eight states is a separate nation—except for the fact that the states have presented to Congress a silver platter with certain powers on it. These are the only powers that our forty-eight nations have parted with, and Congress has no powers in the world except those that are on that silver platter—which is sometimes called the Federal Constitution. If Congress is exercising any other powers, it has acquired them by light-fingered methods. Congress has two principal responsibilities: to look after our relations with foreign nations, and to supervise commerce which goes from one state to another. But when it comes to good, old-fashioned government, your state legislature provides it. And your state legislature more or less controls every county, every town, every city, every human being, and every stick and stone within its borders.

The responsibilities of a state legislature are almost unbelievable:

It is responsible for the form of government of state, county, city, and town, for raising and spending revenues, for civil and criminal law, for social, industrial and business legislation, for supervision of banks and utilities. Bryce said, "Looking at the immense compass of state functions, Jefferson seems to have been not far wrong when he said that the Federal Government was nothing more than the American Department of Foreign Affairs."

And each legislature also has the difficult duty of trying to harmonize its decisions with those of the law-making departments of forty-seven other states, as well as with those of the Federal Government.

Krazy Kat Depression

The depression, this krazy kat which has overtaken us, has suddenly made us realize that law and government in America are in a very imperfect condition. We are all saying, "We must improve our laws"—which really means, for

the most part, "We must improve our legislation."

And now we are beginning to realize that we cannot improve our laws very much unless we begin by improving our law-making machinery—in other words, until we develop up-to-date legislatures. If I were asked: "What is the crux of our difficulties in the field of law in the United States today?" I would answer without hesitation: "It is the defective law-making machinery of our states."

We have done practically nothing to improve our legislatures during a century and a half. On the contrary, we have allowed them to deteriorate in many respects, while the strain upon them has been growing greater and greater. Therefore, if we have any serious intention of improving our law through legislation, we must improve the machinery of our law-making departments. Of course, this responsibility rests primarily upon the legislators themselves, but the political scientists and the lawyers must do their part in assisting the legislators—and the general public must give its moral support to lawyers, to political scientists and to legislators in this work. The average citizen is guilty of sabotage and of unpardonable ingratitude when his only comments are critical and sarcastic remarks concerning legislators and their work, and when he expresses no appreciation nor admiration for the many splendid men who are serving in our legislatures unselfishly and whole-heartedly, usually for nominal compensation.

Uniform State Laws

One notable contribution which the lawyers have been making during the past forty-three years—which seems like a long time to people who are as young as you and I are—consists in the organization and maintenance of the National Conference of Commissioners on Uniform State Laws. This is a group of lawyers and judges, two or three of whom are appointed by each of the forty-eight governors. This Conference of which Judge Hargest is president, was organized by the American Bar Association and owes its continued existence to the association. We meet annually for a week just before the Bar Association's Annual Meeting and we write laws which can be recommended to the forty-eight Legislatures. If each legislature would adopt each of these laws, commercial transactions in this country would be much simpler—and so would many other matters.

But political scientists and lawyers can't do it all. Heaven helps them who help themselves, and the legislators must be tugging at their own bootstraps.

The problem is made ten-fold more difficult than it would otherwise be by the fact that our legislatures are large and constantly changing. There are 7500 state legislators. I have sometimes said that we make a mistake in thinking about our legislatures as permanent bodies: They are practically processions of citizens who come to the state capitols from the street, remain for one or two brief sessions, and pass out again on the other side. About ninety days ago forty-four legislatures convened. They were made up of 7,000 men and women, most of whom had never been in the legislature before. During these ninety days they have transacted most of their business. The majority of them will not hold another regular session for two years. How can anyone possibly expect a satisfactory output of law under such circumstances? It seems obvious that our state constitutions should be so revised that no one would be elected to a state legislature for a term which included less than two or three regular sessions. But in fact about 4500 of the 7500 state legislators are elected for terms which include only one regular session.

Changing Personnel

Despite the difficulties presented by the constantly changing personnel, the state legislators of the United States have now perfected a national organization known as the American Legislators' Association. Of course, the transient legislators do not remain in office long enough to learn the ropes at home—much less to assume their broader responsibilities through this nation-wide organization, but the responsible nucleus among the men who return to our legislatures year after year, and who —in the typical state—constitute the controlling faction in the legislature, are now working together through this organization for the improvement of legislative conditions.

The American Legislators' Association has been developing for eight years, and

is now carrying definite responsibilities under the presidency of Honorable William B. Belknap of Kentucky.

The first accomplishment of the association was to establish a sort of trade journal for legislators—a monthly magazine known as "State Government" which brings to the law-makers information concerning the legislative decisions and practices in other states. By this means, for the first time, the state legislators of the nation are being systematically supplied, month after month, with educational material, readably presented to them without cost by the leading legislative experts of the United States.

Legislative Clearing House

The next accomplishment of this association was the development of a clearing house for information between the legislatures—known as the Interstate Legislative Reference Bureau. Three years ago this Bureau established permanent headquarters near the University of Chicago. And it has now developed an adequate staff, so that whenever any legislator in the United States wants to secure information or counsel concerning any significant problem he has only to express his desire by letter or by telegram, and without cost the American Legislators' Association immediately puts him into communication with the best source of up-to-date information and of impartial advice concerning his problem.

The third outstanding accomplishment of the American Legislators' Association has been the development of a national council of the states—known as the Interstate Legislative Assembly. The first meeting of this Assembly was held in Washington only sixty days ago. (Both former President Hoover and President Roosevelt are taking an active personal interest in this Assembly, and both emphatically declare that there is a national need for it.) Each state was invited to send three delegates—one from the Senate, one from the House of Representatives, and one delegated by the governor. Two-thirds of the states were officially represented by such delegates at the first meeting of the Interstate Legislative Assembly, and nearly 100 official conferees participated in a two-day session.

The primary problem which was discussed at the first meeting of the Interstate Legislative Assembly was the harmonizing of the taxing systems of the forty-eight states with that of the Federal Government. In order to wrestle with this problem the Assembly established the Interstate Commission on Conflicting Taxation, which is composed of fifteen tax experts who are members of legislatures in various sections of the country. This commission is headed by Senator Mastick of New York, a distinguished tax expert. It is developing a technical staff, and whatever it accomplishes will represent the first official, nation-wide co-operative achievement of the forty-eight state governments.

Interstate Legislative Assembly

However, the significance of the Interstate Legislative Assembly is far greater than any question of taxation—no matter how important the tax problem may be.

Some of the national foundations are undertaking to enable this organization to reach a point of development at which it will be supported by the states themselves. Some of the legislatures are already making appropriations to the support of this essential legislative undertaking, and the legislatures of all of the states are officially co-operating in this project with the exception of the legislatures of Maine and Connecticut.

The situation, then, is this: We must improve out laws—and most of our laws are made by the state legislatures. Therefore we must improve our forty-eight legislatures. In what respects can we hope to improve them? Well, the American Legislators' Association is interesting itself to improvement of the law-making machinery in each of the forty-eight states.

One-fourth of all the state legislators are lawyers, and it is fair to say that the problem of improving our law-making machinery rests primarily upon their shoulders. I think that I am warranted in say to you that the American Bar Association is deeply concerned in this problem and that it is prepared to do its part in this work. For until we improve the operation of our state legislatures, we cannot expect entirely satisfactory law or government in any state, or county, or municipality throughout the broad expanse of the three million square miles which we call the United States.

The Bar and the Public

WHAT IS THE BAR DOING to improve the Bar? First, it is raising the educational standards for admission to the Bar. Inadequate educational training and equipment of lawyers have been responsible in large measure for many of the ills suffered by clients, by the legal profession and by the public. Clients suffer from bad advice and poorly tried cases. The legal profession suffers through loss in public esteem because of those within its ranks intellectually unprepared to cope with the modern complexities of the law, because of others who are ignorant of its honorable traditions of service and unappreciative of its ethical standards and ideals, and yet others who are morally unfit. The public suffers at the hands of poorly equipped lawyers in official positions. From the Bar come most of the chief executives of the states, a large and influential proportion of the legislative department, all of the judicial department, and all of the attorneys general and prosecuting attorneys. In other words, it is usually the lawyer who is the draftsman of our laws, who is influential in the enactment of our laws, and who executes our laws; and it is always the lawyer who interprets and judicially administers our laws, who advises our departments of government, and who controls and directs our criminal processes. From the standpoint of the public, therefore, it is highly important that the members of the legal profession be men of thorough intellectual training and equipment.—*Guy A. Thompson, former President of the American Bar Association, in radio address, April 2.*

DELEGATION OF AUTHORITY BY LEGISLATIVE BODY

(Continued from page 241)

"The Board of Police Commissioners is authorized and required to place and maintain . . . upon such street or streets as in its opinion **shall be deemed advisable** . . . appropriate signs upon such street or streets, . . . devices or marks to bear the word 'stop' or the words 'Boulevard Stop' . . ."

All that this ordinance leaves to the Board is to say at what intersections stop signs shall be erected. If this discretion may not be given administrative officers then the ordinance is invalid.

But that administrative officers may be given authority to do much more than is left to them by the Burbank ordinance is seen by the many authorities examined. If the Burbank ordinance is invalid it is not because it leaves a certain fact to be determined by the Board or that it permits the Board to formulate a rule or regulation, the violation of which is unlawful. Such things can be delegated. If it is invalid it must be because of the form in which that power is delegated.

A law is not unconstitutional merely because it rests in certain officers an authority which might be arbitrarily or unfairly used. *In re Culver,* (187 Cal. 437).

Conclusion

So, I am of the opinion that there has been no unlawful delegation of authority to the Board of Police Commissioners in the Burbank ordinance. However, all question on this point will be removed if resort is had to the device used in *Kumler v. the Board of Supervisors,* that is, have the legislative body say:

All street intersections within the City of Burbank are hereby declared to be stop intersections, into or over which it is unsafe, because of the density of foot and vehicular traffic or because of the presence of physical obstruction to an operator's view of such traffic, to enter or proceed with a motor vehicle or street car without first bringing such motor vehicle or street car to a complete stop. The Board of Police Commissioners shall determine at what street intersections these conditions exist and shall erect and maintain at such intersections appropriate signs.

It may be better to change the ordinances in the various cities rather than leave room for any more instructions such as gave rise to this inquiry.

SCOTCH METHOD OF TRAINING LAWYERS

(Continued from page 246)

period to any other Law Agent in or near his father's place of residence and into whose service he may desire to enter.

"And the said William Campbell Learmont hereby binds and obliges himself to free and relieve the said James Richardson Learmont of his foresaid Cautionary and engagement for him and of all damages and expenses which he may sustain or incur through the same. And both parties bind and oblige themselves to perform the premises to each other under the penalty of Fifty pounds Sterling to be paid by the party failing to the party observing or willing to observe the same over and above performance: And both parties consent to the registration hereof for preservation and execution.

"In Witness Whereof these presents written upon this and the preceding page of stamped paper by the said William Campbell Learmont are subscribed by the parties hereto as follows videlicet: by the said William Campbell Learmont and James Richardson Learmont both at Edinburgh upon the twenty fourth day of April Eighteen hundred and eighty two years before these Witnesses James Scott Clerk in the Head Office of the Life Association of Scotland Insurance Company in Edinburgh, and Charles Brand apprentice to Morison & Co. Cabinetmakers, Edinburgh and by the said J. & J. Ross and John Ross and John Ross Junior (the signature of said firm being adhibited by the said John Ross Junior) at Edinburgh on the twenty fifth day of month and year last mentioned before these Witnesses Grant Bowie Gibson and William Mitchell both clerks to the said J. & J. Ross. (Signed) J. & J. Ross, John Ross, John Ross Jr., William C. Learmont, James R. Learmont, Grant B. Gibson Witness, William Mitchell, Witness, James Scott, Witness, Charles Brand, Witness.

And the Sheriff Grants Warrant for all lawful execution herein.

"Extracted at Edinburgh upon this and the six preceding pages by the Sheriff Clerk of Mid Lothian.

William Gardner, dep. sh. clk.

"The principal deed above extracted is impressed with a duty of Two Shillings and six pence Sterling.

William Gardner, dep. sh. clk.

"We, John Ross, Solicitor Supreme Courts, and John Ross Junior, Writer to the Signet, the Individual partners of the firm of J. & J. Ross Law Agents and Conveyancers, Edinburgh. Considering that the within designed William Campbell Learmont has served us and our said firm of J. & J. Ross as an Apprentice in terms of the Indenture of which the within is an Extract Registered Copy during the whole period therein stipulated properly and faithfully We do therefore hereby Discharge him and the within designed James Richardson Learmont his Cautioner of the said Indenture whole purport and effect thereof so far as the same were incumbent on them and We oblige ourselves and our said firm to warrant this discharge at all hands.

In Witness Whereof these presents written upon this and partly upon the preceding page by the said William Campbell Learmont are subscribed by us the said John Ross and John Ross Junior both at Edinburgh as follows videlicit: by me the said John Ross upon the twenty fifth day of January Eighteen hundred and eighty seven, and by me the said John Ross Junior (the signature of the said firm of J. & J. Ross being adhibited by me the said John Ross Junior) upon the twenty sixth day of January Eighteen hundred and eighty seven.

JOHN ROSS.
JOHN ROSS, JR.
J. & J. ROSS.

BESSIE ROSS, Witness.
AGNES ROSS, Witness.
WM. R. MITCHELL, Witness.
J. GIBSON STRACHAN, Witness."

Progress in Government Through Bar Publicity

"The Bar of the country as at present organized is working with such facilities as it has to inform the public upon many of the great problems that are before it. That Bar stands for better things in our government and it helps supply the information to the public which will enable it to formulate sounder judgments on public affairs."—*Samuel Seabury,* in radio broadcast.

JAMES B.OGG,
39 EAST MAIN ST.,
ALHAMBRA,CALIF.